IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.28346 of 2008
SULEMAN & ANR
Versus
STATE OF BIHAR
---

2 11.8.2008. Heard counsel for the petitioners and the State.

Petitioners are named accused in connection with Kadwa P.S.Case no. 10 of 2008 registered for offence under sections 395 and 397 of the Indian Penal Code.

Counsel for the petitioners submits that the petitioners have been named as accused simply because in the F.I.R. it is stated that the accused persons were taking names of each other in course of dacoity some of them called one of the accused as Mustaque and Suleman. The informant has not stated that he identified the petitioners at the time of occurrence.

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Considering the aforesaid fact prayer for anticipatory bail is allowed. The petitioners namely1. Suleman and 2. Mustaq are directed to surrender before the S.D.J.M Katihar within four weeks from today and on their so surrendering they shall be enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of S.D.J.M. Katihar in connection with Kadwa P.S.Case no 10 of 2008 subject to the condition as laid down under Section 438(2) Cr.P.C.

**(Mridula Mishra, J)**

**Sss/-**